

INFORMATION DISCLOSURE STATEMENT

Applicant : Diab, et al.
App. No : 09/111604
Filed : July 7, 1998
For : SIGNAL PROCESSING APPARATUS
Examiner : Eric Frank Winakur
Art Unit : 3768
Conf No. : 6003

CERTIFICATE OF EFS WEB TRANSMISSION

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

February 23, 2011

(Date)

/Jaron Kesler/

Jaron D. Kesler, Reg. No. 57,046

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 16 references, of which 12 are enclosed/submitted. The references are being submitted pursuant to MPEP § 2001.06(c) in that U.S. Patent Nos. 6,263,222, 5,632,272, 6,215,984, 6,157,850 and 7,509,154 are currently involved in litigation, namely, Masimo Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böblingen GMBH, (District of Delaware, Case No. 09-000080 (LPS/MPT)). These patents may claim a priority benefit of applications and patents that are part of the present application's claim for priority under 35 U.S.C. § 120. To the best of the undersigned's understanding, the references submitted herewith represent documents or document portions that are non-confidential as defined by any protective order governing information exchanged between the parties to the Masimo litigation mentioned above.

The Applicants understand that the Examiner has access to sophisticated online Patent Office computing systems that provide ready access to, for example, specification and drawings, publications, pending claims, and complete file histories, including, for example, cited art, office actions, responses, and notices of allowance. Thus, the Applicants have not enclosed copies of

Application No.: 09/111604
Filing Date: July 7, 1998

these documents. However, if the Examiner would like copies provided, the Applicants would be pleased to provide these references at any time upon request.

Co-Pending Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

Docket No.	Serial No.	Title	Filed
MASIMO.007C5	12/340577	SIGNAL PROCESSING APPARATUS	19-Dec-2008
MASIMO.7CP1C13	11/070081	SIGNAL PROCESSING APPARATUS	02-Mar-2005
MASIMO.7CP1C17	11/766719	SIGNAL PROCESSING APPARATUS	21-Jun-2007
MASIMO.7CP1C18	11/754238	SIGNAL PROCESSING APPARATUS	25-May-2007
MASIMO.7CP1C19	11/766714	SIGNAL PROCESSING APPARATUS	21-Jun-2007
MASIMO.7CP1C20	11/894716	SIGNAL PROCESSING APPARATUS	20-Aug-2007
MASIMO.7CP1C21C	12/410422	SIGNAL PROCESSING APPARATUS	24-Mar-2009
MASIMO.7CP1C3	09/110542	SIGNAL PROCESSING APPARATUS	06-Jul-1998
MASIMO.7CP1C9D2	12/277221	SIGNAL PROCESSING APPARATUS	24-Nov-2008

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required. If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 23, 2011

By: /Jarom Kesler/
Jarom D. Kesler
Registration No. 57,046
Attorney of Record
Customer No. 20995
(949) 760-0404